

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 13, 2015

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 13, 2015, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Corey Rushton, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3

ABSENT:

Steve Vincent, Councilmember District 4 (Excused)

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Lee Russo, Police Chief
John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Layne Morris, CPD Director
Sam Johnson, Strategic Communications Director
Steve Lehman, CED Department
Jake Arslanian, Public Works Department

OPENING CEREMONY

The Opening Ceremony was conducted by Steve Buhler.

SPECIAL RECOGNITIONS

Mayor Bigelow welcomed Scout Troop No. 741 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

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APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 22, 2015

The Council read and considered Minutes of the Regular Meeting held September 22, 2015. There were no changes, corrections or deletions.

Councilmember Lang moved to approve the Minutes of the Regular Meeting held September 22, 2015, as written. Councilmember Nordfelt seconded the motion.

A voice vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

INTRODUCTION OF YOUTH CITY COUNCIL MEMBERS 2015/2016

Upon recognition and invitation by Mayor Bigelow, new Youth City Council members for 2015/2016 were introduced by Leslie Hudson who explained the program and goals of the students. Students in attendance introduced themselves to the City Council. The following members comprised the Youth City Council for 2015-2016:

Serena Aeschilman, Skyline High School
Zecharius Belete, Granger High School
Sydney Bell, Granger High School
Christopher Cox, Hunter High School
Alyssa Crowther, Hunter High School
Jelena Dragicevic, Granger High School
T. J. Gilmore, Hunter High School
Nelson Lotz, Granger High School
Noel Manguena-Moreno, Granger High School
Naida Manguena, Granger High School
Jessica Winder, Granger High School
Michael Winder, Granger High School
Victoria Wynn, Granger High School
Connie Zhou, Skyline High School

COMMENT PERIOD

Upon inquiry by Mayor Bigelow the following individuals addressed the City Council during the comment period.

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A. PUBLIC COMMENTS

Jacob and Annestah Stahl, 3879 South 1900 West, addressed the City Council and expressed concern regarding the turn signal on 3200 West and 4100 South, in particular how it affected students attending Valley Junior High School. Mr. Stahl indicated many students arrived at school late since the turn signal only allowed one or two cars to turn at a time.

B. CITY MANAGER COMMENTS

In response to the Stahls' comments, City Manager, Wayne Pyle, stated he would look into the turn signal concerns. He advised the City was aware of the problem and he thought it had been resolved but would check on the progress.

C. CITY COUNCIL COMMENTS

Councilmember Buhler indicated he recalled the turn signal being discussed but was unsure of its resolution. He stated this was a big issue and concern.

He also stated he was happy to meet the Youth Council and was impressed at their involvement in the community. He stated the Council desired to hear from the Youth Council as they represented the City's younger community.

Councilmember Rushton expressed appreciation to the Youth City Council for attending the meeting and challenged them to discuss, debate and propose a resolution and then deliver it to the Council for action.

PUBLIC HEARING, ACCEPT PUBLIC INPUT REGARDING THE IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS

Mayor Bigelow informed a public hearing had been advertised for the Regular Council Meeting scheduled October 13, 2015, in order for the City Council to hear and consider public input regarding the Impact Fee Facilities Plan and Impact Fee Analysis.

Mayor Bigelow presented proposed Resolution No. 15-158 related to the proposal to be considered by the City Council subsequent to the public hearing, incorporating information into the record as follows:

Proposed Resolution No. 15-158 would adopt amendments to the City's Impact Fee Facilities Plan and Impact Fee Analysis.

On December 16, 2014, the City adopted an Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis. At that same time, an ordinance had been approved amending the Impact Fee Schedule.

The proposed amendment would add additional facilities to the Roadway IFFP

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previously adopted. The Transportation Impact Fee Analysis would also need to be revised in consideration of the updated IFFP, and a new maximum allowable Road Impact Fee calculated. However, no increase in the Road Impact Fee had been proposed with this revision.

The proposal included the following two contiguous facilities be added to the Roadway IFFP:

- 4800 West from SR-201 Frontage Road to 2400 South
- 2400 South from 4800 West to 5100 West

These facilities were intentionally omitted from the 2014 IFFP because State funds had been received for their construction. However, the State funds were only sufficient to cover construction costs. The cost of right-of-way acquisition had not been included, and it was anticipated the necessary property would be dedicated to the City at no cost.

Because the property owners were unwilling to dedicate property for the new road, a decision had been made to purchase the needed right-of-way adding approximately \$1.5 million to the project cost. The subject amendment would add the two additional facilities to the IFFP and modify the Impact Fee Analysis to include the additional right-of-way costs.

Mayor Bigelow opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Bigelow closed the public hearing.

ACTION: RESOLUTION NO. 15-158, ADOPTING AMENDMENTS TO THE CITY'S IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS

The City Council previously held a public hearing regarding proposed Resolution No. 15-158 that would adopt amendments to the City's Impact Fee Facilities Plan and Impact Fee Analysis.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Resolution No. 15-158, a Resolution Adopting Amendments to the City's Impact Fee Facilities Plan and Impact Fee Analysis. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes

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Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

ORDINANCE NO. 15-32, AMENDING SECTION 24-2-113 OF THE WEST VALLEY CITY MUNICIPAL CODE TO CLARIFY PROVISIONS GOVERNING RESIDENTIAL WASTE COLLECTION

Mayor Bigelow presented proposed Ordinance No. 15-32 that would amend Section 24-2-113 of the West Valley City Municipal Code to clarify provisions governing residential waste collection.

When late charges had been changed to simplify and allow charges to be declared upon utility billing statements, Section 24-2-113(3) had not been updated, and the proposal would bring that Section into agreement with the Consolidated Fee Schedule. It would remove the statement in conflict and add a statement declaring, “as set forth on the customer’s billing statement shall result in the imposition of the late fees set forth in the City’s Consolidated Fee Schedule”.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Buhler moved to approve Ordinance No. 15-32, an Ordinance Amending Section 24-2-113 of the West Valley City Municipal Code to Clarify Provisions Governing Residential Waste Collection. Mr. Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 15-159, AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT MODIFYING THE 2010 INTERLOCAL COOPERATION AGREEMENT THAT ESTABLISHED THE JORDAN RIVER COMMISSION

Mayor Bigelow presented proposed Resolution No. 15-159 that would authorize execution of an Interlocal Cooperation Agreement modifying the 2010 Interlocal

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Cooperation Agreement that established the Jordan River Commission.

The proposal would make changes to the composition of the governing board of the Jordan River Commission and make technical amendments to certain procedural processes of the Commission.

The Jordan River was an essential natural resource for several communities and governmental entities in the Salt Lake Valley. The Jordan River Commission had been established in 2010 with West Valley City as a founding member. The Commission was intended to facilitate the protection of the Jordan River and the cooperation of local entities toward that end.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Rushton moved to approve Resolution No. 15-159, a Resolution Authorizing the Execution of an Interlocal Cooperation Agreement Modifying the 2010 Interlocal Cooperation Agreement that Established the Jordan River Commission. Councilmember Lang seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 15-160, APPROVING AN AGREEMENT BETWEEN WEST VALLEY CITY AND SALT LAKE COUNTY TO PROVIDE ZOO, ARTS, AND PARKS FUNDS TO THE UTAH CULTURAL CELEBRATION CENTER

Mayor Bigelow presented proposed Resolution No. 15-160 that would approve an agreement between West Valley City and Salt Lake County to provide Zoo, Arts, and Parks funds to the Utah Cultural Celebration Center.

The Zoo Arts and Parks (ZAP) funding program of Salt Lake County had granted the Utah Cultural Celebration Center (UCCC) a Tier II award in the amount of \$65,000.00 to be used for expansion of existing programs and creation of new cultural initiatives. The award would be used during the program year of 2015-2016.

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The UCCC would primarily use the funding for general program development in three designated areas: 1) educational programming and workshops; 2) festivals, celebrations and concerts; and 3) gallery exhibitions. With the new funding, the UCCC would be able to expand its community-based arts and cultural programming. The Center would also be able to reach a greater number of City and County residents of all ages and income levels, who represented many cultural and ethnic groups.

The UCCC had become the preferred destination for many high quality and diverse cultural and arts events that reflected the interests of the community and enhanced the image of West Valley City. The Cultural Center was poised to continue maximizing the benefits that would result from the yearly ZAP award. Over the next year, the Center would develop community programming, expand the Partners Program, continue to seek and expand diversified funding sources, and collaborate on opportunities for residents to experience quality multi-disciplinary arts and cultural programming.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Huynh moved to approve Resolution No. 15-160, a Resolution Approving an Agreement Between West Valley City and Salt Lake County to Provide Zoo, Arts, and Parks Funds to the Utah Cultural Celebration Center. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 15-161, APPROVING PURCHASE OF COMPUTERS AND RELATED EQUIPMENT FROM VLCM FOR THE MAVERIK CENTER

Mayor Bigelow presented proposed Resolution No. 15-161 that would approve purchase of computers and related equipment from VLCM in an amount not to exceed \$100,000.00 for the Maverik Center.

The proposal would authorize purchase of computers from VLCM at negotiated pricing through the State Purchasing Contract. Funds would initially be spent from the Repair and Replacement Fund and then reimbursed by anticipated lease proceeds.

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There was an immediate need to replace aging computer systems for ticketing and facility management and the proposal would authorize purchase and replacement of aging equipment and related peripherals including monitor docking stations, memory, and adapters.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Nordfelt moved to approve Resolution No. 15-161, a Resolution Approving the Purchase of Computers and Related Equipment from VLCM. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

RESOLUTION NO. 15-162, AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN WEST VALLEY CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION TO REPLACE PIPE CULVERTS CROSSING I-215 DURING A STATE PAVEMENT RECONSTRUCTION PROJECT

Mayor Bigelow presented proposed Resolution No. 15-162 that would authorize execution of a cooperative agreement between West Valley City and the Utah Department of Transportation (UDOT) in an amount not to exceed \$100,000.00, to replace pipe culverts crossing I-215 during a State pavement reconstruction project.

UDOT was preparing to bid a project to reconstruct I-215 from 4700 South to SR-201 beginning in 2016. West Valley City had requested a betterment from UDOT to replace two storm drainpipe culverts that ran parallel on either side of the Brighton Canal. The culverts were aged and in poor condition and this presented the opportunity to reconstruct the pipes at the most economical time.

The proposed agreement would facilitate replacement of the culverts at an estimated cost to the City of \$75,632.00. In the event the actual betterment costs were higher, the City would be required to pay the additional amount; in the event the actual betterment costs

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were lower, UDOT would refund the difference to the City. The monies would be paid using Storm Water Utility funds.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Resolution No. 15-162, a Resolution Authorizing the Execution of a Cooperative Agreement Between West Valley City and the Utah Department of Transportation to Replace Pipe Culverts Crossing I-215 During a State Pavement Reconstruction Project. Councilmember Huynh seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

APPLICATION NO. S-19-2015, FILED BY SUBURBAN LAND RESERVE INC. REQUESTING FINAL PLAT APPROVAL FOR THE LAKE PARK PLACE SUBDIVISION LOCATED AT 4041 WEST PARKWAY BOULEVARD

Mayor Bigelow presented Application No. S-19-2015 filed by Suburban Land Reserve Inc. requesting final plat approval for the Lake Park Place Subdivision located at 4041 West Parkway Boulevard.

Terry Royslance, representing Suburban Land Reserve Inc. had filed a minor subdivision titled Lake Park Place, located on the southeast corner of Parkway Boulevard and Lake Park Boulevard, and zoned M and BRP.

The proposed subdivision had been submitted to divide the existing 23 acre parcel into 2 lots. Currently, the subject property was vacant. The application would divide the existing parcel by establishing a new property line running north/south. Lot 1 would be approximately 12.7 acres and Lot 2 would be approximately 10 acres.

Access to the property would be from Lake Park Boulevard and Parkway Boulevard. While Parkway Boulevard had a full access, Lake Park Boulevard would be relegated to a right in and right out access. The property owner had requested the City evaluate a full access on Lake Park Boulevard. This would necessitate the removal and modification to a portion of the existing median. The Public Works Department had evaluated the

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request and was prepared to grant that access, however the property owner would need to continue to work with the Public Works Department regarding the plan and profiles of such a design.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Lang moved to approve Application No. S-19-2015 and give final plat approval for Lake Park Place Subdivision filed by Suburban Land Reserve Inc., located at 4041 West Parkway Boulevard, 2 Lots, 23 acres, and zoned M and BRP. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

Unanimous.

CONSENT AGENDA

- A. **RESOLUTION NO. 15-163, AUTHORIZING THE CITY TO ENTER INTO A RIGHT-OF-WAY AGREEMENT WITH KENNECOTT UTAH COPPER, LLC, A UTAH LIMITED LIABILITY COMPANY, FOR PROPERTY LOCATED AT APPROXIMATELY 6800 WEST 6200 SOUTH (PARCELS 20-15-300-002 AND 20-22-200-001) AND TO ACCEPT TWO QUIT CLAIM DEEDS, A PERPETUAL UTILITY EASEMENT, AND TWO TEMPORARY CONSTRUCTION EASEMENTS**

Mayor Bigelow presented proposed Resolution No. 15-163 that would authorize the City to enter into a Right-of-Way Contract with Kennecott Utah Copper, LLC, a Utah Limited Liability Company, for property located at approximately 6800 West 6200 South (Parcels 20-15-300-002 and 20-22-200-001) and accept two Quit Claim Deeds, a Perpetual Utility Easement, and two temporary construction Easements.

Kennecott Utah Copper, LLC parcels at the above-referenced location, were two of the properties affected by the 6200 South Extension Project that would extend 6200 South from the Mountain View Corridor to SR-111. Acquisition included two parcels totaling 11,187 square feet where the new 6200 South crossed the Kennecott Railroad right-of-way, along with a Perpetual Utility Easement and

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two temporary construction Easements. Compensation for the easements would be in the amount of \$30,500.00 based on an appraisal report by Integra Realty Resources.

The project was being funded under the Surface Transportation Program (STP) with federal funds. Under a previously executed federal aid agreement, West Valley City was responsible for 6.77% of all project costs, including right-of-way. With the total value of the right-of-way and easements for this acquisition being \$30,500.00, the City's share would be \$2,064.85 plus a portion of the closing costs.

Kennecott did not use this railroad line in its current operations, and did not have future plans to do so. In place of building a railroad crossing that potentially would never be used, Kennecott had agreed to allow the City to remove the rail through the new road crossing; but the City would agree to construct a crossing in the future in the event Kennecott activated the railroad.

B. RESOLUTION NO. 15-164, AUTHORIZING THE CITY TO GRANT AN EASEMENT TO KERN RIVER GAS TRANSMISSION COMPANY FOR RELOCATION OF GAS TRANSMISSION LINES OVER A PORTION OF PARKWAY BOULEVARD (2700 SOUTH) AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

Mayor Bigelow presented proposed Resolution No. 15-164 that would authorize the City to grant an easement to Kern River Gas Transmission Company for relocation of gas transmission lines over a portion of Parkway Boulevard (2700 South) as part of the Mountain View Corridor Project.

Currently Kern River Gas Transmission Company had natural gas transmission lines crossing Parkway Boulevard at approximately 5835 West. At the current crossing the City had prescriptive rights for the road. Construction of the Mountain View Corridor would require relocation of gas transmission lines westward that would cross Parkway Boulevard at a location within the City's prescriptive right-of-way. Kern River had requested an easement for the new crossing location.

C. RESOLUTION NO. 15-165, AUTHORIZING THE CITY TO GRANT AN EASEMENT TO KERN RIVER GAS TRANSMISSION COMPANY FOR RELOCATION OF GAS TRANSMISSION LINES OVER A PORTION OF BURDOCK DRIVE (5860 WEST) AS PART OF THE MOUNTAIN VIEW CORRIDOR PROJECT

Mayor Bigelow presented proposed Resolution No. 15-165 that would authorize the City to grant an easement to Kern River Gas Transmission Company for relocation of gas transmission lines over a portion of Burdock Drive (5860 West)

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as part of the Mountain View Corridor Project.

Kern River Gas Transmission Company had natural gas transmission lines running east of and parallel with Burdock Drive (5860 West) at approximately 5835 West on property owned by Utah Power & Light Company. Construction of the Mountain View Corridor would require relocation of gas transmission lines westward to property owned by the Utah Department of Transportation (UDOT). It would also cross a portion of Burdock Drive that was a dedicated West Valley City street. Kern River Gas Transmission Company had requested an easement from the City to replace the easement it currently had with PacifiCorp.

D. RESOLUTION NO. 15-166, DESIGNATING AND APPOINTING POLL WORKERS TO SERVE IN THE MUNICIPAL GENERAL ELECTION NOVEMBER 3, 2015; SETTING THE COMPENSATION FOR THEIR SERVICES, AND PROVIDING FOR OTHER RELATED MATTERS

Mayor Bigelow presented proposed Resolution No. 15-166 that would designate and appoint poll workers to serve in the Municipal General Election November 3, 2015, and set compensation for their services, and provide for other related matters.

Section 20A-5-602 of the Utah State Code set forth the procedure for appointing poll workers, designating their compensation and setting forth their duties. A list of the poll workers had been attached to the proposed Resolution and provided to the City Council. The Site Coordinator would receive \$295.00 and the Site Specialists would receive \$250.00. The cost of poll worker services had been built into the total amount of the City's contract with the Salt Lake County Elections Department.

Upon inquiry by Mayor Bigelow there were no further questions from members of the City Council, and he called for a motion.

Councilmember Rushton moved to approve Resolution Nos. 15-163, 15-164, 15-165, and 15-166 as presented on the Consent Agenda. Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Ms. Lang	Yes
Mr. Buhler	Yes
Mr. Huynh	Yes
Mr. Rushton	Yes
Mr. Nordfelt	Yes
Mayor Bigelow	Yes

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Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Buhler, all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, OCTOBER 13, 2015, WAS ADJOURNED AT 6:58 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, October 13, 2015.

Nichole Camac
City Recorder